

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

FRED FOSTER d/b/a UNLEASHED PRODUCTIONS,

Plaintiff,

V.

CIVIL CASE NO. 2:07-cv-472-WKW

**ROY JONES & THE BODY HEAD
BANGERZ d/b/a BODY HEAD
ENTERTAINMENT.**

Defendant.

ANSWER

The defendants, Ray Jones & The Body Head Bangerz d/b/a Body Head Entertainment,
by and through their undersigned counsel, answer the Verified Complaint as follows:

1. Defendants are without knowledge and information sufficient to admit or deny the averments of paragraph 1 of the Verified Complaint.
2. Defendants deny the averments of paragraph 2 of the Verified Complaint.
3. Defendants deny the averments of paragraph 3 of the Verified Complaint.
4. Defendants are without knowledge and information sufficient to admit or deny the averments of paragraph 4 of the Verified Complaint.
5. Defendant Roy Jones admits that he is an entertainer and that he provides entertainment for monetary consideration.
6. Defendants deny the remaining averments of the Verified Complaint and demand strict proof thereof.

AFFIRMATIVE DEFENSES

1. Plaintiff has not met the jurisdictional amount requirement for diversity jurisdiction.
2. The Verified Complaint fails to state a claim against defendants upon which relief may be granted.
3. Plaintiff's claims are barred by failure of consideration.
4. Defendant Roy Jones was unable to travel to Montgomery due to an act of God, namely hurricane Dennis.
5. Plaintiff's claims are barred by the impossibility of performance by defendants.
6. Plaintiff's claims for fraud fail to allege the required elements of fraud with the required particularity.
7. Plaintiff's claims are barred by the applicable statute of limitations.
8. Plaintiff failed to mitigate his/its damages.
9. Plaintiff's claims are barred by the statute of fraud.

s/Marvin H. Campbell
Marvin H. Campbell (CAM0019)
Attorney for Defendants
P.O. Box 4979
Montgomery, AL 36103-4979
Phone: (334) 263-7591
Fax: (334) 832-9476
E-mail: mhcfirm@aol.com

CERTIFICATE OF SERVICE

I certify that on June 20, 2007, I electronically filed the foregoing with the clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Michael Guy Holton, Esq.
Jennifer Mae Holton, Esq.
Fuller, Taylor, & Holton, P.C.
5748 Carmichael Parkway, Suite D
Montgomery, AL 36117

s/Marvin H. Campbell
MARVIN H. CAMPBELL